

REMARKS

The office action of June 5, 2007, has been carefully considered.

It is noted that the disclosure, abstract and claims 1, 2, 5 and 6 are objected to on various formal grounds.

Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) over the patent to Miyahara et al. in view of the patent to Carder, the patent to Shaw or the patent to Anderson et al.

Claim 2 is rejected under 35 U.S.C. 103(a) over Miyahara et al. in view of Carder, Shaw or Anderson et al., and further in view of the patent to Perkins et al.

In connection with the Examiner's objections to the disclosure, abstract and claims 1, 2, 5 and 6, applicant has attached hereto on a separate sheet a new Abstract of the Disclosure, added section headings to the specification, deleted

reference to specific claim numbers for the specification, and amended claims 1, 2, 5 and 6.

In view of these considerations it is respectfully submitted that the objections to the abstract, disclosure and claims 1, 2, 5 and 6 are overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, applicant has amended claims 3 and 4.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner. Relative to claim 4, there is no recitation of "the base frame linear guides", this passage reads "the base frame in linear guides".

In view of these considerations it is respectfully submitted that the rejection of claims 3 and 4 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on

file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent to Miyahara et al., it can be seen that this patent discloses an apparatus for storage and conveyance of heavy articles. Miyahara et al. do not teach any scissor unit, let alone a scissor unit mounted only for the purpose of linear vertical guidance and so as to not take on any lifting forces, as in the presently claimed invention.

The patent to Carder discloses an elevator control system.

The patent to Shaw discloses a laterally adjustable conveyor.

The patent to Anderson et al. discloses an aircraft cargo loading method and apparatus.

The Examiner combined Miyahara et al. with Carder, Shaw or Anderson et al. in determining that claims 1 and 3-6 would be unpatentable over such a combination. Applicant respectfully submits that there is no motivation for combining the references as suggested by the Examiner. There is no indication in Miyahara

et al. that there is any need for a scissor unit for guiding purposes. Since the lifting device of Miyahara et al. seems sufficient for the purpose intended and there does not appear to be, nor is there any mention of, any problem with vertical linear guidance, it is not obvious to modify the construction of Miyahara et al. to have an additional element, namely a scissor unit for guidance. Such an extra unit would only add to the complexity and expense of the device and thus, in addition to the lack of need, it would not be intuitive to modify the device of Miyahara et al. to include a scissor unit. Furthermore, none of the secondary references deals with lifting heavy metal coils or anything nearly as heavy as such coils. Thus, one skilled in the art of the present invention would not look to such light-duty devices for suggestions in modifying a transfer and conveyance device as taught by Miyahara et al.

In view of these considerations it is respectfully submitted that the rejection of claims 1 and 3-6 under 35 U.S.C. 103(a) over combinations of the above-discussed references is overcome and should be withdrawn.

The patent to Perkins et al. discloses a multiple ram assembly and recuperative drive system for a hydraulic lift.

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Applicant submits that Perkins et al. add nothing to the teachings of the other references so as to suggest the presently claimed invention as discussed above in connection with the independent claim.

In view of these considerations it is respectfully submitted that the rejections of claim 2 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By 

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on December 5, 2007.

By:

  
Klaus P. Stoffel

Date: December 5, 2007